India and the Chief Ministers of the States to initiate proposals for filling up all vacant posts of judges in the High Courts. They have been reminded last on March 15, 2002.

Filling up of the vacant posts of judges/magistrates at the district and subordinate courts is the concern of the respective High Courts and the State Governments. Appointment of District Judges and other judges of the subordinate courts is made by the Governor of the State in consultation with the High Court exercising jurisdiction in relation such State under the provisions of articles 233-234 of the Constitution of India.

The Central Government have been periodically urging all the State Governments/Union Territories and the High Courts to accord utmost priority to filling up of vacant posts of judges and magistrates. The Minister of Law, Justice and Company Affairs has written in this regard to the Chief Justices of all High Courts and the Chief Ministers of all States on 4.4.2001.

In addition to the above, the Eleventh Finance Commission has recommended the establishment of 1,734 additional courts known as Fast Track Courts for the purpose of speedy trial of sessions and other cases. As on 31st March, 2002, 1064 Fast Track Courts have been set up throughout the country.

Vacancies of Judges

2310. SHRI B. J. PANDA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the number of vacancies for the post of Judges in the High Courts and the Supreme Court as on date; and

(b) the steps Government have taken to fill these vacancies and improve the disposal of the cases pending in the various Courts?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI ARUN JAITLEY): (a) As on April 10, 2002, there was no vacancy in the Supreme Court of India and the number of vacancies in the High Court was 157.

(b) Government has been periodically reminding the Chief Justices of High Courts, the Chief Justice of India and the Chief Ministers of the States to initiate proposals for filling up vacant posts of judges in the High Courts. They have been reminded last on March 15, 2002. Filling up of vacancies in the High Courts is a continuous, consultative process among the Constitutional authorities. While every effort is made to fill up the existing vacancies expeditiously, vacancies do keep arising on account of retirements, resignation or elevation of Judges.

Various steps have been taken by the Government for the speedy disposal of cases. These include amendment to the civil Procedure Code and the Code of Criminal Procedure, increase in the number of posts of Judges/Judicial officers, establishment of Special Court/ tribunals, improvement in the standards of Legal education, appointment of Special Judicial/Metropolitan Magistrates and adoption of alternative modes of dispute resolution, such as, arbitration and conciliation. Lok Adalats have been given a statutory base as supplementary forum for resolution of disputes.

Special Courts for terrorists

2311. SHRI PARMESHWAR KUMAR AGARWALLA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether setting-up of Special Courts for terrorists is the need of the hour;

(b) if so, the details thereof;

(c) whether Government propose to set up such Courts; and

(d) if so, the details thereof?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI ARUN JAITLEY): (a) to (d) As per Section 23 of the Prevention of Terrorism Act 2002, there is a provision of constitution of Special Courts, either by the Central Government or by the State Government for dealing with cases falling under the purview of this Act. Section 35 of the said Act also provides that until a Special Court is constituted, the jurisdiction conferred by this